

Amendment No. 1 to HB1633

Matheny
Signature of Sponsor

AMEND Senate Bill No. 1538*

House Bill No. 1633

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 4-29-235(a), is amended by deleting subdivision (23) in its entirety.

SECTION 2. Tennessee Code Annotated, Section 4-29-239(a), is amended by adding the following language as a new, appropriately designated subdivision:

() Domestic violence state coordinating council, created by § 38-12-101;

SECTION 3. Tennessee Code Annotated, Section 38-12-103, is amended by deleting the section in its entirety and substituting instead the following:

(a) The coordinating council shall consist of the following twenty-three (23) members:

(1) The commissioner of labor and workforce development, or the commissioner's designee;

(2) The attorney general and reporter, or the attorney general and reporter's designee;

(3) The director of the administrative office of the courts, or the director's designee;

(4) The executive director of the district public defenders conference, or the executive director's designee;

(5) The director of the Tennessee bureau of investigation, or the director's designee;

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(6) The executive director of the district attorneys general conference, or the executive director's designee;

(7) The president of The Tennessee Sheriffs' Association, or the president's designee;

(8) The president of the state court clerks conference, or the president's designee;

(9) The president of the Tennessee chiefs of police association, or the president's designee;

(10) The executive director of the Tennessee Coalition to End Domestic and Sexual Violence, or the executive director's designee;

(11) The executive director of the peace officers standards and training commission, or the executive director's designee;

(12) The chairman of the board of probation and parole, or the chairman's designee;

(13) The executive director of the Tennessee association of criminal defense lawyers, or the executive director's designee;

(14) Three (3) judges or retired judges, one (1) from each grand division of this state, to be appointed by the executive director of the administrative office of the courts;

(15) One (1) legal services attorney to be appointed by the Tennessee Alliance for Legal Services;

(16) One (1) victim witness coordinator to be appointed by the district attorneys general conference;

(17) Three (3) individuals with domestic violence expertise from the non-profit sector to be appointed by the Tennessee Coalition to End Domestic and Sexual Violence;

(18) One (1) member of the senate, who shall be a non-voting advisory member, to be appointed by the speaker of the senate; and

(19) One (1) member of the house of representatives, who shall be a non-voting advisory member, to be appointed by the speaker of the house of representatives.

(b) In making appointments to the coordinating council, the appointing authorities shall strive to ensure that at least one (1) person serving on the council is sixty (60) years of age or older, at least one (1) person serving on the council is a member of a racial minority, and at least two (2) persons serving on the council are female.

(c) Except as provided in subsection (d), the terms of the members of the coordinating council who are appointed under subdivisions (a)(14) – (17) shall be four (4) years. The terms of members who are appointed under subdivisions (a)(18) and (19) shall coincide with their terms of office in the general assembly; provided, that such members shall continue to serve on the coordinating council until their successors are appointed.

(d)

(1) The entire membership of the coordinating council as comprised on June 30, 2014, shall be vacated on July 1, 2014, and new members shall be appointed in accordance with subsection (a).

(2) In order to stagger the terms of the newly appointed coordinating council members, the appointing authorities shall make initial appointments as follows:

(A) One (1) judge appointed under subdivision (a)(14) and one (1) individual appointed under subdivision (a)(17) shall be appointed for terms of one (1) year, which shall expire on June 30, 2015;

(B) One (1) judge appointed under subdivision (a)(14), the legal services attorney appointed under subdivision (a)(15), and one (1) individual appointed under subdivision (a)(17) shall be appointed for terms of two (2) years, which shall expire on June 30, 2016; and

(C) One (1) judge appointed under subdivision (a)(14), the victim witness coordinator appointed under subdivision (a)(16), and one (1) individual appointed under subdivision (a)(17) shall be appointed for terms of three (3) years, which shall expire on June 30, 2017.

(e)

(1) Following the expiration of members' initial terms as prescribed in subdivision (d)(2), all terms shall begin on July 1 and terminate on June 30, four (4) years thereafter.

(2) All members shall serve until the expiration of the term to which they were appointed and until their successors are appointed and qualified.

(3) A vacancy occurring other than by expiration of a term shall be filled in the same manner as the original appointment but only for the remaining duration of the unexpired term.

(f) An appointing authority may remove any member of the coordinating council, which such appointing authority appointed to the council, for misconduct, incompetency, willful neglect of duty, or other just cause.

SECTION 4. Tennessee Code Annotated, Section 38-12-105, is amended by deleting the language "Tennessee task force against domestic violence" and substituting instead the language "Tennessee Coalition to End Domestic and Sexual Violence".

SECTION 5. Tennessee Code Annotated, Section 38-12-111, is amended by deleting the section in its entirety and substituting the following:

The coordinating council has the authority to develop policies for the operation and functioning of the council.

SECTION 6. Tennessee Code Annotated, Title 38, Chapter 12, Part 1, is amended by adding the following as a new section:

The coordinating council shall provide an annual report on its activities to the Tennessee department of finance and administration office of criminal justice programs, the governor, and to the chief clerk of the senate and the chief clerk of the house of representatives.

SECTION 7. This act shall take effect July 1, 2014, the public welfare requiring it.